

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF ALABAMA**

In re

Case No. 03-81505-WRS  
Chapter 13

BARRY DALE CAUSEY,

Debtor

BARRY DALE CAUSEY,

Plaintiff

Adv. Pro. No. 04-8016-WRS

v.

HOUSEHOLD FINANCE CORPORATION,

Defendant

**MEMORANDUM DECISION**

This Adversary Proceeding is before the Court upon the Plaintiff's motion for default judgment. (Doc. 16). The Defendant is identified as a corporation. Service of process upon a corporation is made: "by mailing a copy of the summons and complaint to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process." Rule 7004(b)(3), Fed. R. Civ. P. In this Adversary Proceeding, the Plaintiff has attempted service by U.S. mail addressed to: "Household Finance, 961 Wiegel Drive, P.O. Box 8606, Elmhurst, IL 60126." As service is not made to an officer or agent, service is not proper.

This Court has twice, in recent months, denied motions for default judgment for improper service, in decisions published on the Court's website. See, DePaola v. Burger King, (In re:

Collins Signs), Adv. Pro. No. 04-1050, Order entered December 23, 2004; DePaola v. Bunker  
Plastics, (In re: Collins Signs, Inc.), Adv. Pro. No. 04-1135, Order entered November 16, 2004.

The Court will deny the Plaintiff's motion by way of a separate order.

Done this 19th day of April, 2005.

/s/ William R. Sawyer  
United States Bankruptcy Judge

c: Charles M. Ingram Sr., Attorney for Plaintiff  
Household Finance Corporation